

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BENSLEY CONSTRUCTION, INC., on its own  
behalf and on behalf of all others similarly situated,

Plaintiff

v.

MARSH & MCLENNAN COMPANIES, INC.,  
MARSH, INC., ACE USA, ACE INA, AMERICAN  
INTERNATIONAL GROUP, AMERICAN  
REINSURANCE COMPANY, ARTHUR J.  
GALLAGHER & CO., HILB ROGAL & HOBBS,  
COMPANY, WILLIS GROUP HOLDINGS, LTD.,  
WILLIS NORTH AMERICA INC., WILLIS GROUP  
LTD., UNIVERSAL LIFE RESOURCES,  
UNIVERSAL LIFE RESOURCES, INC. (d/b/a ULR  
INSURANCE SERVICES, INC.), THE CHUBB  
CORPORATION, USI HOLDINGS, INC., METLIFE,  
INC., PRUDENTIAL FINANCIAL, INC.,  
UNUMPROVIDENT CORPORATION, THE ST.  
PAUL TRAVELERS COMPANIES, INC., ZURICH  
AMERICAN INSURANCE COMPANY, LIBERTY  
MUTUAL GROUP INC., LIBERTY MUTUAL  
INSURANCE COMPANY, LIBERTY MUTUAL  
FIRE INSURANCE COMPANY, EMPLOYERS  
INSURANCE COMPANY OF WAUSAU, and ST.  
JAMES INSURANCE COMPANY LTD.,

Defendants.

PLAINTIFF FEE PAID:  
RECEIPT # 06538  
AMOUNT \$ 50.00  
BY DPTY CLK  
DATE 8/31/05 JH

Civil Action No.  
05-11249 GAO

AUGUST 24, 2005

**MOTION FOR ADMISSION OF NEAL S. MANNE TO PRACTICE BEFORE THIS  
COURT PRO HAC VICE**

Pursuant to this Court's Local Rule 83.5.3(b), Mark J. Claflin, a member in good standing of the Bar of this Court and counsel to defendants, ACE USA and ACE INA herein, hereby moves that Attorney Neal S. Manne, a member in good standing of the Texas State Bar, the Bar of the Texas Supreme Court, the California State Bar, the

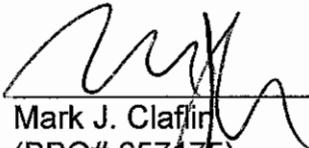
Bar of the District of Columbia, the Bar of the United States District Court for the Central District of California, the District of Colorado, the Eastern, Northern, Southern and Western Districts of Texas, the Northern District of Illinois, and the Bar of the United States Courts of Appeals of the Third, Fifth, and Ninth Circuits and the District of Columbia, be granted leave to appear on behalf of defendants ACE USA and ACE INA and practice in this Court *pro hac vice* in the above-captioned action.

As set forth in the accompanying Affidavit of Neal S. Manne in support of this motion for admission *pro hac vice*:

1. Mr. Manne is a partner in the Houston, Texas offices of Suisman Godfrey LLP, 1000 Louisiana Street, Suite 5100, Houston, Texas 77002;
2. Mr. Manne is a member in good standing in every jurisdiction in which he is admitted to practice;
3. There are no disciplinary proceedings pending against Mr. Manne in any jurisdiction; and
4. Mr. Manne is familiar with the local rules of the United States District Court for the District of Massachusetts.

WHEREFORE, Mark J. Claflin respectfully requests that this motion be allowed and that Neal S. Manne be granted leave to appear on behalf of defendants, ACE USA and ACE INA and practice in this Court *pro hac vice* in the above-captioned action.

THE DEFENDANTS,  
ACE USA and ACE INA  
By its Attorneys



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(BBO# 657175)  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been sent to the following counsel of record by U.S. Mail, postage prepaid, this 24th day of August, 2005:

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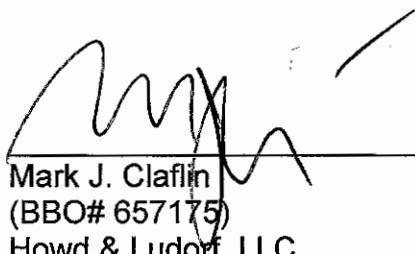
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Defendants.

Civil Action No.  
05-11249 GAO

July 19, 2005

**AFFIDAVIT OF NEAL S. MANNE IN SUPPORT  
OF MOTION FOR ADMITTANCE PRO HAC VICE**

I, Neal S. Manne, hereby depose and say of my personal knowledge:

1. I am an attorney licensed to practice in Texas and I am a partner in the  
Houston, Texas offices of Suisman Godfrey LLP, 1000 Louisiana Street, Suite 5100,  
Houston, Texas 77002.

2. I am a member in good standing and eligible to practice before the Texas State Bar, the Bar of the Texas Supreme Court, the California State Bar, the Bar of the District of Columbia, the Bar of the United States District Court for the Central District of California, the District of Colorado, the Eastern, Northern, Southern and Western Districts of Texas, the Northern District of Illinois, and the Bar of the United States Courts of Appeals of the Third, Fifth, and Ninth Circuits and the District of Columbia.

3. I am currently not suspended or disbarred in any jurisdiction, nor have I ever been suspended or disbarred from the practice of law.

4. I am not the subject of any pending disciplinary matters in any jurisdiction.

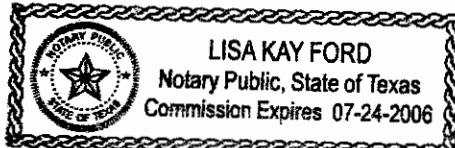
5. The defendants, ACE USA and ACE INA have asked me to represent them because of specialized knowledge and experience I have gained from representing them in the past.

Signed under the pains and penalties of perjury this 19<sup>th</sup> day of July, 2005.

Neal Manne  
Neal S. Manne

Subscribed and sworn to before me this 19<sup>th</sup> day of July, 2005.

Lisa Kay Ford



LISA KAY FORD  
Notary Public, State of Texas  
Commission Expires 07-24-2006